

United States District Court

for the

Eastern District of Pennsylvania

April 17, 2019

U.S.A. vs. Hector Luis Rivera

Case No. 5:09CR000155-005

VIOLATION OF SUPERVISED RELEASE

COMES NOW NIKKI CAMPBELL U.S. PROBATION OFFICER OF THE COURT presenting an official report upon the conduct and attitude of Hector Luis Rivera who was placed on supervised release by the Honorable Joel H. Slomsky sitting in the Court at Philadelphia, PA, on the 31st day of May, 2012 who fixed the period of supervision at five years, and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

ORIGINAL OFFENSE: Conspiracy to commit murder in aid of racketeering and aiding and abetting (Count Four); and use/carrying a firearm during and in relation to a crime of violence and aiding and abetting (Count Five).

ORIGINAL SENTENCE: The defendant was committed to the custody of the U.S. Bureau of Prisons for a total of 96 months. This term consisted of terms of 36 months on Count Four and 60 months on Count Five, to run consecutively to each other. Upon release from imprisonment, the defendant shall be on supervised release for a term of five years. This term consisted of terms of three years on Count Four and five years on Count Five, to run concurrently to each other. A \$200.00 special assessment was also imposed.

SPECIAL CONDITIONS: 1) The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall participate in drug treatment and abide by the rules of any such program until satisfactorily discharged; 2) The defendant shall provide the U.S. Probation Office with full disclosure of his financial records to include yearly income tax returns upon the request of the U.S. Probation Office. The defendant shall cooperate with the probation officer in the investigation of his financial dealings and shall provide truthful monthly statements of his income; 3) The defendant shall participate in a mental health program for evaluation and/or treatment and abide by the rules of any such program until satisfactorily discharged; 4) The defendant is

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prohibited from incurring any new credit charges or opening additional lines of credit without the approval of the probation officer, unless the defendant is in compliance with a payment schedule for the fine obligation. The defendant shall not encumber or liquidate interest in any assets unless it is in direct service of the fine obligation or otherwise has the express approval of the Court; and 5) In the event that a \$2,000.00 fine is not paid prior to the commencement of supervision, the defendant shall satisfy the amount due in monthly installments of not less than \$50.00, to commence 30 days after release from confinement.

DATE SUPERVISION
COMMENCED: July 7, 2017

DATE SUPERVISION
TERMINATES: July 6, 2022

The above probation officer has reason to believe that the supervised releasee has violated the terms and conditions of their supervision under such circumstances as may warrant revocation. This condition is:

- A. Standard Condition: While on supervised release you shall not commit another federal, state, or local crime.

On March 12, 2019, Mr. Rivera was the driver of a vehicle involved in a traffic stop by two New York State Troopers because of heavily tinted windows and a large cell phone holder attached to the windshield. When the troopers approached the vehicle, the smell of marijuana was emanating from the vehicle as well as from Mr. Rivera and his male passenger. Mr. Rivera and his passenger were searched, and no marijuana was found on their persons. A probable cause search of the car was conducted by the troopers who discovered the following items in a bag in the trunk: 1) a fully loaded .357 magnum Smith and Wesson revolver with seven rounds; 2) a box of ammunition (.38 special rounds); 3) a vial of liquid cannabis concentrate; 4) a black AWS scale; 5) an empty prescription bottle with Mr. Rivera's name on the label; and 6) clear plastic bags containing marijuana weighing approximately 46 grams. Mr. Rivera and the passenger were consequently placed under arrest and transported to the State Police headquarters in Middletown, NY, for processing.

Mr. Rivera was remanded to Orange County Jail with no bail listed.

The next Court date is April 29, 2019, in Orange County Court located in Goshen, NY, with Judge Craig Brown.

GRADE OF VIOLATION

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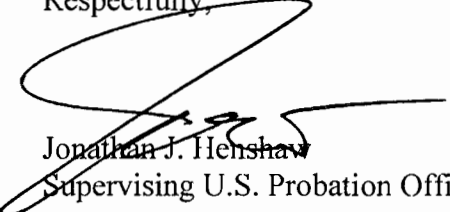
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PRAYING THAT THE COURT WILL ORDER...

**THE ISSUANCE OF A
WARRANT TO BE LODGED AS
A DETAINER, FOR THE
NAMED SUPERVISED
RELEASEE TO BE ARRESTED
AND BROUGHT BEFORE THE
COURT FOR A REVOCATION
HEARING.**

I declare under penalty of perjury
that the foregoing is true and correct.

Respectfully,



Jonathan J. Henshaw
Supervising U.S. Probation Officer

Place: Philadelphia, PA

Date: April 17, 2019

NC

cc: Assistant U.S. Attorney
Defense Attorney
U.S. Marshal's - Warrant Squad

ORDER OF THE COURT

Considered and ordered this: 18th day
of April, 2019, and ordered filed
and made part of the records in the above case.



U.S. District Court Judge